

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-8-E - ORDER NO. 2004-230

OCTOBER 11, 2004

IN RE: Request of Fairfield Electric Cooperative, Inc.)	ORDER APPROVING
and Progress Energy Carolinas, Inc. for)	AGREEMENT FOR
Reassignment of Territory in Kershaw)	REASSIGNMENT OF
County, South Carolina.)	TERRITORY

This matter comes before the Public Service Commission of South Carolina (the “Commission”) on the Request of Fairfield Electric Cooperative, Inc. (“Fairfield”) and Progress Energy Carolinas, Inc. (“Progress”) for approval of an Agreement for the reassignment of certain territory located in Kershaw County, South Carolina. At issue is the reassignment of two tracts of property located in Kershaw County known as the Hunter’s Crossing Subdivision and the Sixty Oaks subdivision.

FINDINGS OF FACT

1. Fairfield and Progress have entered into an Agreement to swap certain assigned territories as follows:

- a. That Fairfield be assigned to provide service to the entire Hunter’s Crossing Subdivision, a portion of which is currently located within the Progress assigned service territory;
- b. That Progress be assigned to provide service to the entire Sixty Oaks Subdivision, a portion of which is currently located within the Fairfield assigned service territory.

2. We find and accept the delineation of the tracts to be reassigned as shown in Attachments A and B of the Request for Reassignment filed with the Commission in this matter by Fairfield and Progress.

3. We find that the requested reassignment of territory requested by Fairfield and Progress to be in the best interest of the public and compatible with certain engineering considerations of both companies.

CONCLUSIONS OF LAW

1. Progress is a public utility within the jurisdiction of the Commission and is, further, an electric supplier as defined by the Territorial Assignment Act, South Carolina Code Ann. Section 58-27-610, *et seq.* (1976 and Supp. 2003).

2. Fairfield is subject to the limited jurisdiction of this Commission as an electric supplier pursuant to the Territorial Assignment Act.

3. Upon an agreement between the affected electric suppliers, this Commission has the authority to reassign portions of service areas previously assigned to those suppliers. S.C. Code Ann. Section 58-27-650 (Supp. 2003).

4. Finding that it is in the best interest of the public convenience and necessity to do so, the Commission authorizes the requested territory reassignment.

Wherefore, based on the above stated findings of fact and conclusions of law, the Commission hereby orders the following territorial reassignment:

a. To Fairfield Electric the entirety of that tract of land and service territory known as the Hunter's Crossing Subdivision, including that portion of the Subdivision previously assigned to Progress Energy.

b. To Progress Energy the entirety of that tract of land and service territory known as Sixty Oaks Subdivision, including that portion of the Subdivision previously assigned to Fairfield Electric.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)